EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a fax from the Attorney

for the case, Mr. Felipe Hernandez on Aug. 26, 2010 (see attached fax).

The application has been amended as follows:

In the claims:

Claims 1-17 (Cancelled).

Claim 18. (Previously Presented) A system to display digital advertisement

information, the system comprising:

a receiver for use at a subscriber site;

a processor in the receiver;

a memory communicatively coupled to the processor in the receiver; and

software stored on the memory that, when executed by the processor, causes the

processor to:

receive an advertisement object and at least one link associated with the

advertisement object, wherein the at least one link associates the advertisement object

with a plurality of image objects corresponding to the advertisement object, and wherein

each of the image objects requires a different processing capability to be rendered by the receiver;

use the link to select one of the plurality of image objects and discard the remaining plurality of image objects based on a processing capability of the receiver, wherein the plurality of image objects are transmitted to the receiver and the one of the plurality of image objects is selected from the transmitted plurality of image objects, and wherein the selected one of the plurality of image objects is capable of being rendered by the receiver; and

display the advertisement object and the selected one of the plurality of image objects.

Claim 19. (Previously Presented) The system of claim 18, wherein the software is further adapted to be executed by the processor to select the advertisement object based on a user's preference.

Claim 20. (Previously Presented) The system of claim 18, wherein the image objects are linked to at least a second advertisement object.

Claim 21. (Previously Presented) The system of claim 18, wherein the memory stores a local condition indicative of the processing capability of the receiver.

Claim 22. (Previously Presented) The system of claim 18, wherein the software is further adapted to be executed by the processor to select a second advertisement object based on a location of the receiver.

Claim 23. (Previously Presented) The system of claim 18, wherein the software is further adapted to be executed by the processor to display the advertisement object based on an ordered list.

Claim 24. (Currently Amended) A method of displaying advertisements, the method comprising:

receiving an advertisement object and at least one link associated with the advertisement object, wherein the at least one link associates the advertisement object with a plurality of image objects corresponding to the advertisement object, and wherein each of the image objects requires a different processing capability to be rendered by a receiver;

using the link to select, via a processor, one of the plurality of image objects and discard the remaining plurality of image objects based on the processing capability of the receiver, wherein the plurality of image objects are transmitted to the receiver and the one of the plurality of image objects is selected via the receiver from the transmitted plurality of image objects, and wherein the selected one of the plurality of image objects is capable of being rendered by the receiver; and

displaying the advertisement object and the selected one of the plurality of image objects.

Claim 25. (Previously Presented) The method of claim 24, further comprising determining if the received advertisement object is a new version of a previously cached advertisement object and replacing the previously cached advertisement object with the

received advertisement object if the received advertisement object is the new version of the previously cached advertisement object.

Claim 26. (Previously Presented) The method of claim 25, wherein determining if the received advertisement object is the new version of the previously cached advertisement object includes comparing data elements associated with an advertisement object version.

Claim 27. (Previously Presented) The method of claim 24, further comprising comparing a priority of the received advertisement object to a lowest priority associated with a plurality of cached advertisement objects and discarding the received advertisement object if the priority of the received advertisement object is less than or equal to the lowest priority associated with the plurality of cached advertisement objects.

Claim 28. (Previously Presented) The method of claim 27, wherein comparing the priority of the received advertisement object to the lowest priority associated with the plurality of cached advertisement objects includes comparing data elements associated with display priority.

Claim 29. (Previously Presented) The method of claim 24, further comprising replacing one from a plurality of cached advertisement objects having a lowest priority with the received advertisement object if the priority of the received advertisement object is greater than the lowest priority of the one from the plurality of the cached advertisement objects.

Claim 30. (Previously Presented) The method of claim 24, further comprising discarding expired advertisement objects from a cache memory of the receiver.

Claim 31. (Previously Presented) The method of claim 30, wherein discarding the expired advertisement objects from the cache memory includes comparing a data element associated with advertisement object expiration to a local time at the receiver.

Claim 32. (Previously Presented) The method of claim 24, further comprising selecting the one of the plurality of image objects based on a local condition stored in the receiver indicative of the processing capability of the receiver.

Claim 33. (Previously Presented) The method of claim 24, further comprising determining if the received advertisement object is compatible with a user's preference and discarding the received advertisement object if it is not compatible with the user's preference.

Claim 34. (Previously Presented) The method of claim 33, wherein determining if the received advertisement object is compatible with the user's preference includes comparing a data element of the advertisement object associated with a descriptor of the user's preference.

Claims 35-40 (Cancelled)

Claim 41. (Previously Presented) A system for generating digital advertisements, the system comprising:

a processor;

a computer readable medium coupled to the processor; and

software stored on the computer readable medium that, when executed by the

processor, causes the processor to:

generate an advertisement object;

generate at least one link associated with the advertisement object, wherein the

at least one link associates the advertisement object with a plurality of image objects

corresponding to the advertisement object, and wherein each of the image objects

requires a different processing capability to be rendered by a receiver; and

transmit the advertisement object, the plurality of image objects, and the at least one

link via a transmission data stream to the receiver, wherein the receiver is to select one

of the plurality of image objects and discard the remaining plurality of image objects

based on a processing capability of the receiver, and wherein the selected one of the

plurality of image objects is capable of being rendered by the receiver.

Claim 42. (Previously Presented) The system of claim 41, wherein the receiver is

configured to store therein a respective local condition indicative of the processing

capability of the receiver.

Claim 43. (Previously Presented) The system of claim 41, wherein the software is

further adapted to transmit along with the advertisement object and the at least one

network link a data element indicative of at least one of a user preference, a geographic

location, a user interface sophistication level, a location within a display unit, a display

priority, or a display time.

Claim 44. (Previously Presented) The system of claim 41, wherein each of the image objects includes one of video information, graphical information or textual information.

Claim 45. (Previously Presented) The system of claim 41, wherein each of the image objects includes data associated with one of a version of the image information, a priority, a sophistication level or an image format.

Claim 46. (Previously Presented) The system of claim 41, wherein the image objects are based on a transport protocol.

Claim 47. (Previously Presented) The system of claim 41, wherein a first one of the image objects is a non-animated graphic requiring the receiver to have a processing capability to render the non-animated graphic, and wherein a second one of the image objects is an animated graphic requiring the receiver to have a processing capability to render the animated graphic.

Claim 48.(Previously Presented) A receiver comprising:

an interface configured to communicatively couple the receiver to a television at a subscriber site;

a processor to receive an advertisement object and at least one link associated with the advertisement object, wherein the at least one link associates the advertisement object with a plurality of image objects corresponding to the advertisement object, and wherein each of the image objects requires a different processing capability to be rendered by the receiver;

a communication interface to select one of the plurality of image objects using

the link and discard the remaining plurality of image objects based on a processing

capability of the receiver, and wherein the selected one of the plurality of image objects

is capable of being rendered by the receiver; and

a display interface to display the advertisement object and the selected one of

the plurality of image objects.

Claim 49. (Previously Presented) The receiver of claim 48, wherein the processor

is further configured to select the advertisement object based on at least one of a user's

preference or a geographic location of the receiver.

Claim 50. (Previously Presented) The receiver of claim 48, further comprising a

memory configured to store a local condition indicative of the processing capability of

the receiver wherein the processor is further configured to select the advertisement

object based on the local condition and discard other advertisement objects based on

the local condition.

Claim 51. (Previously Presented) The receiver of claim 48, further comprising a

tuner to receive television programming from a broadcast transmission station.

Claim 52. (Previously Presented) The receiver of claim 48, further comprising a

display interface configured to display a program guide and overlay the advertisement

object and the retrieved image object onto the program guide.

Claim 53. (Previously Presented) The receiver of claim 48, wherein the processor

is further configured to receive an update list and manage the advertisement object and

other cached advertisement objects previously stored in the receiver based on the update list.

Claim 54. (Previously Presented) The receiver of claim 53, wherein the processor is further configured to manage the advertisement object by storing the advertisement object based on the update list.

Claim 55. (Previously Presented) The receiver of claim 53, wherein the processor is further configured to manage the cached advertisement objects by discarding at least some of the cached advertisement objects based on the update list.

Claim 56. (Currently Amended) A method of generating digital advertisements, comprising:

generating an advertisement object;

generating, via an encoding system, at least one link associated with the advertisement object, wherein the at least one link associates the advertisement object with a plurality of image objects corresponding to the advertisement object, and wherein each of the image objects requires a different processing capability to be rendered by a receiver; and

transmitting the advertisement object, the plurality of image objects, and the at least one link via a transmission data stream to the receiver, wherein the receiver is to select one of the plurality of image objects and discard the remaining plurality of image objects based on a processing capability of the receiver, and wherein the selected one of the plurality of image objects is capable of being rendered by the receiver.

Claim 57. (Previously Presented) The method of claim 56, further comprising replacing a cached advertisement object previously stored in the receiver with the advertisement object if the advertisement object is a new version of the cached advertisement object.

Claim 58. (Previously Presented) The method of claim 57, further comprising comparing via the receiver data associated with the advertisement object with data stored in the receiver to determine whether the advertisement object is the new version of the cached advertisement object.

Claim 59. (Previously Presented) The method of claim 56, further comprising if the received advertisement object is not compatible with the receiver based on a local condition stored in the receiver indicative of a processing capability of the receiver, discarding the advertisement object via the receiver.

Claim 60. (Previously Presented) The method of claim 56, further comprising comparing via the receiver a priority level of the advertisement object to a second priority level and discarding the advertisement object via the receiver if the priority level of the advertisement object is less than or equal to the second priority level.

Claim 61. (Previously Presented) The method of claim 56, further comprising comparing via the receiver a priority level of the advertisement object to a second priority level and replacing a cached advertisement object previously stored in the receiver with the advertisement object if the priority level of the advertisement object is greater than the second priority level.

Claim 62. (Previously Presented) The method of claim 56, further comprising discarding other advertisement objects via the receiver based on at least one of a user's preference or a geographic location of the receiver.

Claim 63. (Previously Presented) The method of claim 56, further comprising displaying a program guide and overlaying the advertisement object and one of the image objects onto the program guide via the receiver.

Claim 64. (Previously Presented) The method of claim 56, further comprising receiving at the receiver an update list and using the update list to manage via the receiver the advertisement object received at the receiver and cached advertisement objects previously stored in the receiver.

Claim 65. (Previously Presented) The method of claim 64, wherein managing via the receiver the advertisement object received at the receiver includes storing in the receiver the advertisement object based on the update list.

Claim 66. (Previously Presented) The method of claim 64, wherein managing via the receiver the cached advertisement objects includes discarding at least some of the cached advertisement objects from the receiver based on the update list.

Claim 67. (Previously Presented) The method of claim 56, wherein a first one of the image objects is a non-animated graphic requiring the receiver to have a processing capability to render the non-animated graphic, and wherein a second one of the image objects is an animated graphic requiring the receiver to have a processing capability to render the animated graphic.

Reasons for allowance

2.   The following is an examiner's statement of reasons for allowance:

Regarding the claimed terms, the Examiner notes that a "general term must be understood in the context in which the inventor presents it." *In re Glaug* 283 F.3d 1335, 1340, 62 USPQ2d 1151, 1154 (Fed. Cir. 2002). Therefore the Examiner must interpret the claimed terms as found on pages 1- 30 of the specification. Clearly almost all the general terms in the claims may have multiple meanings. So where a claim term "is susceptible to various meanings, . . . the inventor's lexicography must prevail . . . ." *Id*. Using these definitions for the claims, the claimed invention was not reasonably found in the prior art.

The closest prior art of record is WO 97/41673 to Gerace. Gerace describes a server that selects appropriated advertisement objects for transmission to and display at a user's computer. **However, Gerace fails to teach at least** wherein each of the image objects requires a different processing capability to be rendered by the receiver; and use the link to select one of the plurality of image objects and discard the remaining plurality of image objects based on a processing capability of the receiver as recited in independent claim 1. Moreover, the missing claimed elements from Gerace are not found in a reasonable number of reference(s).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3.   The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- US. Patent. No. 6,047,317 (Bisdikian). He discloses transmitted series of data elements.

- US. PG. Patent 6,876,974 (Marsh). He discloses prioritizing advertisement queues.

- US Patent No. 7,493,640 (Derrenberger). He discloses a method to insert an advertisement channel into an active channel list, So a selected ad is displayed.

- US PG. Pub. No. 2001/0007149 (Smith). He discloses a television system having a number of selectable channels and a digital receiver. In his invention the receiver has processing capability to sample data in the vertical blanking interval (VBI) and extract the data necessary to identify the channel .

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to M. VICTORIA VANDERHORST whose telephone

number is (571)270-3604. The examiner can normally be reached on regular.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Weiss can be reached on 571 272 6812. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. VICTORIA VANDERHORST/

Examiner, Art Unit 3688

/JOHN G. WEISS/

Supervisory Patent Examiner, Art Unit 3688